

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA f/u/o
KERRI ENTERPRISES, the ALLSTATE
COMPANY, INC.

Plaintiff,

v.

UNITED STATES FIDELITY &
GUARANTY COMPANY

Defendant

CIVIL ACTION NO. 05-CV-11339-NMG

STATEMENT OF CONFERRING PURSUANT TO LOCAL RULE 16.1 (D)(3)

This statement certifies that Attorney James G. Grillo, counsel for Defendant, United States Fidelity & Guaranty Company, and Mr. Tom S. Groseclose, authorized representative for the Defendant, have conferred pursuant to Local Rule 16.1 (D)(3):

- (a) with a view to establishing a budget for the costs of conducting the full course and various alternative courses of the litigation; and
- (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlines in Local Rule 16.4.

UNITED STATES FIDELITY &
GUARANTY COMPANY
By its Attorneys,

s/ James G. Grillo
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s/ Tom S. Groseclose
Tom S. Groseclose, Claim Manager
United States Fidelity & Guaranty Company